

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Stephenson et al. § Examiner: Michael J. Feely
§
Serial No.: 10/824,217 § Group Art Unit: 1796
§
Filed: April 14, 2004 §
§
Title: Porous Particulate Materials § Attorney Docket No. 020569-03403
§ (P202-1230B-US)
§

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO OFFICE ACTION OF 9 OCTOBER 2007

Sir:

This communication is in response to the Office Action of 9 October 2007, the period of time with which to respond having been extended to expire on 9 April 2008.

REMARKS

Claims in the Application. Claims 106-110, 112, 114-116, 119, 121-131, 135-140, 142, 144-145, 150-154 and 160-180 are active in this application. Reconsideration is respectfully requested.

Examiner's Rejection Over Rickards. The Examiner has made the following rejections:

- (i.) rejection of Claims 106-110, 112, 114-116, 119, 121-131, 135-140, 142, 144, 145, 150-154, 160, and 169-180 under 35 U.S.C. § 102(b) as anticipated by or, in the alternative, under 35 U.S.C. § 103(a) as obvious over U.S. Patent Publication No. 6,059,034 (“*Rickards*”); and
- (ii.) rejection of Claims 161-168 under 35 U.S.C. § 103(a) as being unpatentable over *Rickards*).

These grounds of rejection are respectfully traversed.

Rickards is directed to use of a substantially deformable particulate material with a substantially non-deformable proppant to render a pack in order to prevent the formation of fines, improve fracture conductivity and/or reduce proppant flowback. As noted in col. 7, ll. 30-35, the deformable particulates “cushion” the non-deformable particulates and thereby prevent